Attorney Docket No. Conlinco-04

IN THE UNITED STATES PATENTAL

In re Application of: Daria Jerome et al.

Serial No.:

09/438,104

Filed: Entitled: November 10, 1999

Conjugated Linoleic Acid Compositions

Group No.:

Examiner:

## INFORMATION DISCLOSURE STATEMENT

NON 5 0 5000

Assistant Commissioner for Patents Washington, D.C. 20231

#### CERTIFICATE OF MAILING UNDER 37 CFR § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231, on November 14, 2000.

Sir or Madam:

This is a Continuation of allowed co-pending application U.S. Serial No. 09/042,767 filed March 17, 1998 which issued into U.S. Patent No. 6,015,833 on January 18, 2000. The citations listed below, copies attached, may be material to the examination of the above-identified application, and are therefore submitted in compliance with the duty of disclosure defined in 37 C.F.R. §§ 1.56 and 1.97. The Examiner is requested to make these citations of official record in this application.

The following printed publications are referred to in the body of the specification:

- U.S. Patent No. 5,585,400 to Cook, et al. on 12/17/96;
- U.S. Patent No. 5,674,901 to Cook, et al. on 9/30/97;
- U.S. Patent No. 5,430,066 to Cook, et al. on 7/4/95;
- U.S. Patent No. 5,554,646 to Cook, et al. on 9/10/96;
- U.S. Patent No. 5,428,072 to Cook, et al. on 6/27/95
- U.S. Patent No. 4,164,505 to Krajca on 8/14/79
- WO 97/46230

- WO 98/05318
- WO 98/05319
- WO 97/46118; and
- EP 779,033 A1
- Cowan, "Isomerization and Trans-Esterifiation," JAOCS 72:492-99 (1950)
- Christie et al., "Isomers in Commercial Samples of Conjugated Linoleic Acid,"
   JAOCS 74 (11):1231 (1997)
- Christie et al. Lipids 33(2):217-21 (1998)
- Kepler et al., J. Biol. Chem. 241:1350-54 (1966)
- P.W. Parodi, J. Nutr. 127(6):1055-60 (1997)
- Belury, Conjugated Dienoic Linoleate: A Polyunsaturated Fatty Acid with Unique Chemoprotective Properties," *Nut. Rev.* 53(4):83-9 (1995)
- Ha et al., Cancer Res., 50:1097 (1991)
- Ha et al., Cancer Res., 52:2035-s (1992)
- Ha et al., Cancer Res., 50:1097 (1990)
- Ip, Am. J. Clin. Nutr. 66(6):1523s (1997)
- Sehat *et al.*, "Silver-Ion High-Performance Liquid Chromatographic Separation and Identification of Conjugated Linoleic Acid Isomers," *Lipids* 33(2):217-21 (1998)
- Jie, et al., "High-Resolution Nuclear Magnetic Resonance Spectroscopy Amplification to Fatty Acids and Triacylglycerols," Lipids 32 (10): 1019-34
  (1997)
- Theil et al., "Conjugated Linoleic Acid Improves Performance and Body Composition in Swine," Iowa State University, Midwest Animal Sciences Meeting, Abstract 127:61 (1998)

The following printed publications were cited in the partent case, Serial No. 09/072,422 filed May 4, 1998 and issued as U.S. Patent No. 6,060,514 issued May 9, 2000.

- U.S. Patent No. 2,242,230 to Burr on 5/1941
- U.S. Patent No. 2,350,583 to Bradley on 6/1944
- U.S. Patent No. 3,162,658 to Baltes et al. on 12/1964

# Attorney Docket No. Conlinco-0

- U.S. Patent No. 3,278,567 to Rathjen et al. on 10/9166
- U.S. Patent No. 3,729,379 to Emken on 4/1973
- U.S. Patent No. 4,164,505 to Krajca on 8/1979
- U.S. Patent No. 4,381,264 to Struve on 4/1983
- U.S. Patent No. 5,017,614 to Pariza et al. on 5/1991
- U.S. Patent No. 5,070,104 to Pariza et al. on 12/1991
- U.S. Patent No. 5,208,356 to Pariza et al. on 5/1993
- U.S. Patent No. 5,725,873 to Cook et al. on 3/1993
- U.S. Patent No. 5,760,082 to Cook et al. on 6/1998
- U.S. Patent No. 5,760,083 to Cook *et al.* on 6/1998
- U.S. Patent No. 5,856,149 to Pariza et al. on 01/05/99
- U.S. Patent No. 5,814,663 to Cook et al. on 09/29/98
- U.S. Patent No. 5,804,210 to Cook *et al.* on 09/08/98
- U.S. Patent No. 5,827,885 to Cook et al. on 10/27/98
- U.S. Patent No. 5,851,572 to Cook et al. on 12/22/98
- U.S. Patent No. 5,855,917 to Cook *et al.* on 01/05/99
- U.S. Patent No. 5,986,116 to Iwata et al. on 11/16/99
- U.S. Patent No. 5,885,594 to Nilsen *et al.* on 03/23/99
- U.S. Patent No. 5,288,619 to Brown et al. on 02/22/94
- U.S. Patent No. 5,468,887 to Gupta on 11/21/95
- WO 97/38137
- WO 97/18320
- WO 98/49129
- WO 96/34855
- WO 97/37546
- GB 558 881
- AU 253031
- Scholfield and Koritalia, "A Simple Method for Preparation of Methyl trans-10,cis-12 Octadecadienoate," *JOACS* 47(8):303 (1970)
- Ron Udell, Information About Conjugated Linoleic Acid, published by Soft Gel
   Technologies Incorporated

### Attorney Docket No. Conlinco-04036

Sugano et al., "Conjugated Linoleic Acid Modulates Tissue Levels of Chemical Mediators and Immunoalabulication." Mediators and Immunoglobulins in Rats," Lipids, 33(5):521-27 (1998)

- Matreya Catalog, 1997, pp. 33-34
- Selin CLA Product Literature, 1/97
- Hudtwalcker & Co. AS Technical Data Sheet, exact publication date unknown
- Lipid Technology Newsletter, Peter J. Barnes, Ed., Vol. 4, No. 5, pp 85-86 (October, 1998)
- Natural Lipids Ltd. AS Technical Data Sheet, 1/20/97
- Quinn et al., "A Comparison of Modified Tall Oil and Conjugated Linoleic Acid on Growing-Finishing Pig Growth Performance and Carcass Characteristics," Kansas State University and Lonza, Inc., Midwest Animal Sciences Meeting, Abstracat 128:61 (1998)
- Dugan et al., "The Effect of Conjugated Linoleic Acid on Fat to Lean Repartitioning and Feed Conversion in Pigs," Canadian Journal of Animal Science 77:723-725 (1997)
- Shantha et al., "Conjugated Linoleic Acid Concentrations in Processed Cheese Containing Hydrogen Donors, Iron and Dairy - Based Additives," Food Chemistry 47:257-261 (1993)
- Bradley et al., "Alkali-Induced Isomerization of Drying Oils and Fatty Acids," Ind. Eng. Chem. 34(2):237-242 (1942)
- Jie et al., "Synthesis and Nuclear Magnetic Resonance Properties of All Geometrical Isomers of Conjugated Linoleic Acids," Lipids 32(10):1041-1044 (1997)
- Arcos et al., "Rapid Enzymatic Production of acylglycerols from conjugated linoleic acid and glyerol in the solvent-free system," Biotechnology Letters 20:617 (1998)
- Clement, "Review of the Effects of Trans Fatty Acids, Oleic Acid, n-3 Polyunsaturated Fatty Acids, and Conjugated Linoleic Acid on Mammary Carcinogenesis in Animals," Am. J. Clin. Natr. 66 (Suppl): 1523S-9S (1997)
- Holman et al., "Unusual Isomeric Polyunsaturated Fatty Acids in Liver Phospholipids of Rats Fed Hydrogenated Oil," PNAS 88:4830-34 (1991)

Attorney Docket No. Conlinco-V TECH CENTER 15001291

Radlove et al., "Catalytic Isomerization of Vegetable Oils," Ind. Eng. Chem. 38(10):997-1002 (1946)

- Sebedio et al., "Linoleic Acid Isomers in Heat Treated Sunflower Oils," JAOCS 65(3):362-366 (1988)
- Sebedio et al., "Metabolites of Conjugated Isomers of Linoleic Acid (CLA) in the Rat," Biochem. Biophys. Acta 1345:5-10 (1997)
- Chin et al., "Dietary Sources of Conjugated Dienoic Isomers of Linoleic Acids, a Newly Recognized Class of Anticarcinogens," J. Food. Comp. Anal. 5:185-197 (1992)
- Park et al., "Effect of Conjugated Linoleic Acid on Body Composition in Mice," *Lipids* 32(8):853-58 (1997)
- Berdeau et al., "A Simply Method of Preparation of Methyl trans-10, cis-12and cis-9, trans-11-Octadecadienoates from Methyl Linoleate," JAOCS 75:1749-1755 (1998)

This Information Disclosure Statement under 37 C.F.R. §§ 1.56 and 1.97 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these citations constitutes prior art.

Dated: November 14, 2000

Registration No. 44,174

MEDLEN & CARROLL, LLP 220 Montgomery Street, Suite 2200 San Francisco, California 94104 415/705-8410



Attorney Docket No. Concl.

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Asgeir Saebo et al.

Serial No.:

09/438,104 November 10, 1999 Group No.: Examiner:

Filed: Entitled:

Conjugated Linoleic Acid Compositions

## INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

**Assistant Commissioner for Patents** Washington, D.C. 20231

#### CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: November 14, 2000

Sir or Madam:

Enclosed please find an Information Disclosure Statement and Form PTO-1449, including copies of the references contained thereon, for filing in the U.S. Patent and Trademark Office.

Applicant believes no fees are required but if the Commissioner deems othewrise, the Commissioner is hereby authorized to charge any additional fee or credit overpayment to our Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: November 14, 2000

Registration No. 44,174

MEDLEN & CARROLL, LLP 220 Montgomery Street, Suite 2200 San Francisco, California 94104 415/705-8410